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## Office Memorandum • UNITED STATES GOVERNMENT

TO : Chief, Coordination, Operations, &amp; Policy Staff

DATE: 18 October 1949

NSCID #1  
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FROM : Assistant Director, OCD

SUBJECT: NSCID No 1, (New Issue)

1. It is the opinion of this Office that AD/OSI's suggestion for a single NSCID, defining in clear terms the DCI's responsibilities and cognate authority, is the best approach the Agency could take to this problem. The law is not ambiguous: it lays a heavy and far-reaching responsibility upon the Agency and the Director, and neither will be exonerated by Congress or the public, in the event of a serious intelligence failure, by pleading that NSC directives have not sufficiently carried out the intent of the law.

2. No doubt it will be difficult to get such an NSCID issued, but I believe we should fight for it. (AD/ORE tells me that he agrees with this view).

3. In the event that the DCI and CO&PS consider that the above proposal is unsound or impracticable, then the ORE draft should probably be considered the best alternative, and I have marked in red ink on the attached copy the changes that I believe should be considered. Only two are of real importance:

a. In paragraph I, 6, provision should be made for the DCI, when in his judgement the question is urgent, to go to the NSC without waiting for action to be taken by the agencies or the Secretary of Defense.

b. VERY IMPORTANT: In paragraph II, 4, a period should be placed after the word "security", and the terminal clause deleted. The law requires the DCI to make such dissemination of intelligence as may be needful for national security, and it does not state or intend that he should be subject to any restrictions on this score. SWNCC 252/9 clearly recognized this, and as amended it specifically exempted the DCI from the Third Agency Rule. The terminal clause in ORE's draft would once again raise the spectre of this ancient stumbling block, and this time would place it squarely in the path of the DCI. The agencies would love to see this written into an NSCID, and we will be very foolish to let it be done.

4. The two changes described above have been discussed with AD/ORE, and he has stated that he is in agreement with both.

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HRP 89-2

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